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Attorneys for Plaintiff  
SHELTER ISLAND YACHTWAYS, LTD.  
a California Limited Partnership,  
dba SHELTER ISLAND BOATYARD

**UNITED STATES DISTRICT COURT**  
**SOUTHERN DISTRICT OF CALIFORNIA**

SHELTER ISLAND YACHTWAYS, LTD., a  
California Limited Partnership, dba SHELTER  
ISLAND BOATYARD,

Plaintiff,

v.

M/Y SUNDANCE, Official No. 521498, A  
HATTARAS MOTORYACHT OF  
APPROXIMATELY 33 FEET IN LENGTH  
AND 12 FEET IN BEAM, AND ALL OF HER  
ENGINES, TACKLE, ACCESSORIES,  
EQUIPMENT, FURNISHINGS AND  
APPURTENANCES, *in rem*,

Defendant.

Civil No. 07 CV 2015 DMS WMc

IN ADMIRALTY

NOTICE OF MOTION AND  
MOTION FOR INTERLOCUTORY  
VESSEL SALE

F.R.C.P. Supplemental Admiralty  
Rule E(9)

**SUBMITTED ON PAPERS**  
**(Oral Arguments Not Requested)**

Date: April 25, 2008

Time: 1:30 a.m.

Judge: Hon. Dana M. Sabraw

**TO ALL PARTIES AND THEIR COUNSEL OF RECORD:**

**PLEASE TAKE NOTICE** that on April 25, 2008, at 1:30 p.m., or as soon thereafter  
as the matter may be heard in Courtroom 10 (2<sup>nd</sup> Floor) of the Southern District Court located  
at 880 Front Street, San Diego, California 92101, Plaintiff SHELTER ISLAND  
YACHTWAYS, LTD., a California Limited Partnership, dba SHELTER ISLAND  
BOATYARD will and hereby does respectfully move this Honorable Court:

To Order the interlocutory sale of the Defendant Vessel, M/Y SUNDANCE, Official  
No. 521498, A HATTARAS MOTORYACHT OF APPROXIMATELY 33 FEET IN

1 LENGTH AND 12 FEET IN BEAM, together with all of her engines, tackle, accessories,  
2 equipment, furnishings and appurtenances, where she lies, at a public auction to be conducted  
3 by the offices of the United States Marshal Service, as the soonest time possible time.

4 Said Motion is based upon this Notice of Motion, the Declaration of Bill Roberts in  
5 Support of Interlocutory Vessel Sale, the Declaration of Philip E. Weiss in Support of  
6 Interlocutory Vessel Sale, the Memorandum of Points and Authorities in Support of  
7 Interlocutory Vessel Sale, all records and pleadings on file with the Court, and such oral  
8 arguments as the Court may require. Oral argumentation is not requested.

9 DATED: March 25, 2008 WEISS & JONES, L.L.P.

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11 By: s/Philip E. Weiss  
12 Philip E. Weiss  
13 Attorneys for Plaintiff  
14 SHELTER ISLAND YACHTWAYS, LTD.  
a California Limited Partnership,  
dba SHELTER ISLAND BOATYARD  
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IN ADMIRALTY

DECLARATION OF SERVICE

F.R.C.P. Supplemental Admiralty  
Rules C and E.

46 U.S.C. Sections 30101-31343

**DECLARATION OF SERVICE**

**STATE OF CALIFORNIA, COUNTY OF SAN DIEGO**

I am employed in San Diego County, State of California. I am over the age of eighteen (18)  
and not a party to this action; my business address is 1551 Shelter Island Drive, San Diego,  
California 92106. On March 26, 2008, I served the following document(s) described as:

- **Notice of Motion and Motion For Interlocutory Vessel Sale**

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DECLARATION OF SERVICE

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